



Bradley Arant
BRADLEY ARANT ROSE & WHITE LLP

12-27-04

ONE FEDERAL PLACE
1819 FIFTH AVENUE NORTH
BIRMINGHAM, AL 35203-2104
205.521.8000 FAX 205.521.8800
WWW.BRADLEYARANT.COM

JFW
Nathan W. Johnson

Direct Dial: 205-521-8369
Direct Fax: 205-488-6369
njohnson@bradleyarant.com

December 22, 2004

EXPRESS MAIL NO. EV 387963119 US
Commissioner of Patents
P.O. Box 1450
Arlington, Virginia 22313-1450

RE: **Application Ser. No. 10/774,544**
Filed February 9, 2004
Inventor: Holmes, William W., IV et al
Response to RESTRICTION REQUIREMENT
Examiner: Eric K. Nicholson (Art Unit 3679)
Docket No.: P60205US03NJ

Dear Commissioner:

Enclosed herewith is a Response to the Office Action, being a response to Requirement for Restriction/Election. Thank you very much for your cooperation and assistance in this matter. Please do not hesitate to call if you have any questions.

Yours very truly,

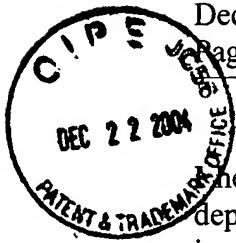
Nathan W. Johnson
Reg. No. 44,173
Attorney for Applicant
205-521-8369

NWJ

Commissioner of Patents

December 21, 2004

Page 2



CERTIFICATE OF EXPRESS MAILING

hereby certify that on the date listed by my name below, the items detailed below are being deposited with the US Postal Service, using the Express Mail Post Office to Addressee service, in an envelope marked with Express Mail Number EV 387963119 US with sufficient postage addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

1. This letter (including this page)	2 pages
2. A Response to Office Action (Election)	1 page

Total 3 pages

Nathan W. Johnson, Esq.
Reg. No. 44,173
205-521-8369

**AUTHORIZATION TO CHARGE
DEPOSIT ACCOUNT**

If, after processing the enclosed correspondence, any charges, fees, or sums due remain unpaid in this matter, I hereby authorize the Commissioner of Patents and Trademarks to charge all such remaining fees, charges, and other sums due to Deposit Account Number 50-0954.

Nathan W. Johnson, Esq.
Authorized User of Deposit Account 50-0954
205-521-8369

Commissioner of Patents

December 21, 2004

Page 3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Holmes, William W., IV et al
Serial No.: 10/774,544
Filed: February 9, 2004
Examiner: Nicholson, Eric K. (Art Unit: 3679)
Docket No.: P60205US03NJ

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed on November 22, 2004. Claims 1-3 were pending at the time of the instant office action. The Examiner found three (3) distinct inventions (an invention in each of the Claims) and required restriction for the purposes of examination.

Requirement for Restriction – Applicant's Election

The Applicant elects Claim 2, which is the method claim, for further prosecution. The election of Claim 2 is made without traverse. Applicant reserves the right to pursue Claims 1 and 3, or any other claim, in a divisional application which may be filed hereafter.

Conclusion

Applicant believes that the foregoing have addressed the comments of the Examiner. Accordingly, it is respectfully requested that the application be processed for further prosecution on the merits. However, should there remain unresolved issues that require action, Applicant invites the Examining Attorney to telephone Nathan W. Johnson, Applicants' Attorney so that such issues may be resolved as expeditiously as possible.

OF COUNSEL
BRADLEY ARANT ROSE & WHITE LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, Alabama 35203-2104
(205) 521-8369 (direct dial)
(205) 488-6369 (main)

1/1231593.1

Respectfully Submitted,

Nathan W. Johnson, Esq.
Reg. No. 44,173
Attorney for Applicant
205.521-8369

Express Mail No. EV 387963119 US